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22-CCW-472 - MELISSA TAYLOR V WAL-MART STORES EAST, LLC
(CASE)

Case File Parties & Attorneys Docket Entries Charges, Judgments & Sentences Service Information Filings Due Scheduled Hearings & Trials Civil Judgments Garnishments/Execution

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08/18/2022 ☐ Corporation Served

Document ID - 22-SMCC-472; Served To - WALMART - R/A; Server - SO ST LOUIS COUNTY-CLAYTON; Served Date - 18-AUG-22; Served Time - 09:21:00; Service Type - Sheriff Department; Reason Description - Served; Service Text - SERVED JOANNA CHAPMAN-INTAKE SPECIALIST

Associated Entries: 07/25/2022 - [Summons Issued-Circuit](#) ±

Associated Entries: 08/18/2022 - [Notice of Service](#) ±

☐ [Notice of Service](#)

Service Summons.22-SMCC-472

Filed By: BENJAMIN JOSEPH SANSONE

On Behalf Of: MELISSA TAYLOR

Associated Entries: 07/25/2022 - [Summons Issued-Circuit](#) ±

Associated Entries: 08/18/2022 - Corporation Served ±

07/25/2022 ☐ [Summons Issued-Circuit](#)

Document ID: 22-SMCC-472, for WALMART - R/A.

Associated Entries: 08/18/2022 - [Notice of Service](#) ±

Associated Entries: 08/18/2022 - Corporation Served ±

☐ Filing Info Sheet eFiling

Filed By: BENJAMIN JOSEPH SANSONE

☐ [Pet Filed in Circuit Ct](#)

PETITION.

Filed By: BENJAMIN JOSEPH SANSONE

On Behalf Of: MELISSA TAYLOR

☐ Judge Assigned

22AB-CC00141

Electronically Filed - Franklin County - July 25, 2022 - 08:56 AM

IN THE CIRCUIT COURT OF FRANKLIN COUNTY
STATE OF MISSOURI

MELISSA TAYLOR,)	
)	
Plaintiff,)	
)	
vs.)	
)	
)	
WAL-MART STORES EAST I, LP d/b/a)	JURY TRIAL DEMANDED
WAL-MART #65)	
)	
Defendant.)	
)	
Serve Registered Agent:)	
CT CORPORATION SYSTEM)	
120 South Central Ave.)	
Clayton, MO 63105)	

PETITION

COMES NOW Plaintiff, MELISSA TAYLOR, by and through the undersigned, and for her Petition against Defendant, WAL-MART STORES EAST I, LP. ("WAL-MART") states as follows:

1. Defendant is organized under the laws of the State of Missouri and doing business in the State of Missouri. At all times relevant herein, Defendants acted by and through its agents and employees.
2. The cause of action that is the subject of this Petition arose in Franklin County, Missouri.
3. The amount in controversy exceeds \$25,000.
4. On or about July 23, 2019, Plaintiff was business invitee of WAL-MART specifically, its Sullivan Missouri store located at 350 Park Ridge Rd.
5. On or about July 23, 2019, while walking in a designated isle Plaintiff was hit and

injured by a falling kayak.

6. The premises was in a dangerous condition as kayaks were haphazardly propped up and not secured.

7. Defendant owed Plaintiff a reasonable degree of care in inspecting and maintaining the said premises in a safe condition while under its control and to warn of any dangerous conditions or barricade any dangerous condition.

8. Defendant was negligence in not properly securing and allowing the kayaks to fall and strike Plaintiff.

9. Defendant breached the duty it owed Plaintiff in the following respects:

- A) Defendant allowed the kayaks to remain in a condition that made the adjacent premises unreasonably dangerous;
- B) Defendant knew or should have known about the condition and knew that such conditions were not reasonably safe;
- C) In the exercise of ordinary care, Defendant should have known that persons such as the Plaintiff would not discover such condition or realize the risk of harm;
- D) Defendant failed to use ordinary care to either make the dangerous condition reasonably safe or adequately warn of the condition or barricade it;
- E) Defendant was negligent in not properly securing the kayaks.

10. As a direct and proximate result of Defendants' negligence, Plaintiff was struck by falling kayaks and injured,

11. In addition to their injuries, the Plaintiff has endured and will continue to endure physical, mental, and emotional pain and suffering and loss of enjoyment of life and may incur future medical expenses.

WHEREFORE, Plaintiff requests the Court to enter judgment in their favor and against the Defendant, and award them compensatory damages in an amount to be proven at trial to be fair and reasonable in excess of \$25,000; to award them prejudgment interest and the costs of this action, and to grant such other relief as the Court may deem necessary and proper.

Respectfully submitted:



Ben Sansone, #53852
7777 Bonhomme
Suite 2100
Clayton, MO 63105-1911
(314) 863-0504
(314) 677-3530 FAX
BEN@MISSOURILAWYERS.COM

ATTORNEY FOR PLAINTIFFS




IN THE 20TH JUDICIAL CIRCUIT, FRANKLIN COUNTY, MISSOURI

Judge or Division: CRAIG E HELLMANN	Case Number: 22AB-CC00141
Plaintiff/Petitioner: MELISSA TAYLOR	Plaintiff's/Petitioner's Attorney/Address BENJAMIN JOSEPH SANSONE 7777 BONHOMME, SUITE 2000 SAINT LOUIS, MO 63105
Defendant/Respondent: WALMART - R/A	Court Address: 401 E. MAIN STREET UNION, MO 63084
Nature of Suit: CC Pers Injury-Other	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: WALMART STORES EAST I, LP
Alias: WAL-MART
 R/A CT CORPORATION SYSTEMS
 120 S. CENTRAL AVE., STE 400
 CLAYTON, MO 63105

COURT SEAL OF

FRANKLIN COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

JULY 25, 2022 *Bile D. Miller* /S/LMC D.C.

Date Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above Summons by: (check one)

- ☐ delivering a copy of the summons and petition to the defendant/respondent.
☐ leaving a copy of the summons and petition at the dwelling house or usual place of abode of the defendant/respondent with _____, a person at least 18 years of age residing therein.

☐ (for service on a corporation) delivering a copy of the summons and petition to: _____ (name) _____ (title).

☐ other: _____

Served at _____ (address)
 in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

 Printed Name of Sheriff or Server

 Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

 Date

 Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
 Non Est \$ _____
 Sheriff's Deputy Salary \$ 10.00
 Supplemental Surcharge \$ _____
 Mileage \$ _____ (_____ miles @ \$._____ per mile)
Total \$ _____

A copy of the summons and petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 20TH JUDICIAL CIRCUIT, FRANKLIN COUNTY, MISSOURI

Judge or Division: CRAIG E HELLMANN	Case Number: 22AB-CC00141
Plaintiff/Petitioner: MELISSA TAYLOR	Plaintiff's/Petitioner's Attorney/Address BENJAMIN JOSEPH SANSONE 7777 BONHOMME, SUITE 2000 SAINT LOUIS, MO 63105
Defendant/Respondent: WALMART - R/A	Court Address: 401 E. MAIN STREET UNION, MO 63084
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: WALMART STORES EAST I, LP
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R/A CT CORPORATION SYSTEMS
120 S. CENTRAL AVE., STE 400
CLAYTON, MO 63105

COURT SEAL OF



FRANKLIN COUNTY

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JULY 25, 2022

Date

Bile D. Miller

/s/LMC D.C.

Clerk

Further Information:

Sheriff's or Server's Return

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I certify that I have served the above Summons by: (check one)

- ☐ delivering a copy of the summons and petition to the defendant/respondent.
☐ leaving a copy of the summons and petition at the dwelling house or usual place of abode of the defendant/respondent with _____, a person at least 18 years of age residing therein.

☒ (for service on a corporation) delivering a copy of the summons and petition to:
Joanna Chapman (name) Intake Specialist (title).

☐ other: _____

Served at 120 S Central Ave (address)
 in St. Louis County (County/City of St. Louis), MO, on August 18, 2022 (date) at 9:21am (time).

Morganne Sceriano
 Printed Name of Sheriff or Server

Morganne Sceriano
 Signature of Sheriff or Server

MARIE BACOTT

Notary Public - Notary Seal

Jefferson County, State of Missouri

Commission Number 14948806

My Commission Expires Apr 2, 2026

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on August 18, 2022 (date).My commission expires: 4/2/2026

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

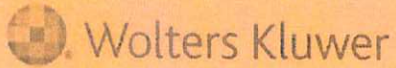
Sheriff's Deputy Salary \$ _____

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$ _____ per mile)

Total \$ _____

A copy of the summons and petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



SOP Intake Portal

Date: Thu, Aug 18, 2022

Time: 9:21 AM

Name: Drop Service

Juris Served: MO

Job ID: 190929

Receipt of the following documents at the date, time and location indicated above.

Entity Served	Agent Name	Case No.
Walmart Stores East I, Lp		22abcc00141
DoorDash, Inc		22skcc03623

Intake Specialist: Joanna Chapman

CT Corporation, a Wolters Kluwer Company